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our courts, and that the only hope of relief for the legal profession is codification.

But we are not convinced that four thousand large octavo pages are required for an adequate presentation of the law of Master and Servant in English-speaking lands. While we do not claim to have perused the entire text of the twenty-seven hundred pages laid before us in these two volumes, we have examined many sections. The result of our investigation may be stated briefly as follows: The author has done his work thoroughly. He has stated established rules with clearness and accuracy, and has discussed with ability controverted questions. He has cited a multitude of cases. Had he contented himself with ending his labors here, the publication would not have reached half its present size. But he felt called upon to present every discoverable shade of doctrine, which has been displayed in the innumerable opinions of more than a hundred different tribunals. He has also deemed it wise to transfer to his notes extensive monographs from the *Lawyers' Reports Annotated*. In short, he has produced a cyclopedia of the Law of Master and Servant, rather than a text book. Such publications are valuable. This one, we believe, will prove very useful. But they do not indicate that our judicial decisions are more conflicting and inconsistent than formerly. They are not symptoms, we are glad to believe, of a tendency to judicial insanity among us.

INTRODUCTION TO PRACTICE. George A. Miller. New York: Leslie J. Tompkins. 1903. pp. 284.

The plea which the author offers as a justification for the publication of this volume is that of self-defense. In other words, some of the students having heretofore prepared and sold imperfect reports of the lectures which Professor Miller has given for a number of years at the Law School of New York University upon the subject of practice under the New York Code of Civil Procedure, he presents the lectures in the present volume in a form for which he is willing to be responsible.

Considered as a series of lectures to be delivered to students within a definite and limited period, and to serve simply as an introduction to practice, there is much in the book that is worthy of commendation. The style is exceptionally clear, the statements of the law are, as a rule, accurate, the cases cited in support of the text are largely leading cases, and, stated generally, there is a systematic treatment of the subject, and an orderly arrangement of topics which completely differentiates the work from the so-called Code "Digests" and Hand Books, although it is difficult to understand why chapter fifteen, relating to the courts of the State, should not have been chapter one.

A book of a similar character and with which the present volume may, therefore, be naturally compared is Bishop's "*Code Practice in Personal Actions*," published in 1893. Largely on account of statutory changes since that date, Professor Miller's work pre-

sents to-day a more accurate exposition of the law on a few topics, but, as a whole, it does not equal the earlier production. The author does not show as clearly as does Mr. Bishop the intimate relation existing between the reformed system of procedure and those it has superseded, nor the reasons upon which many of the features of the present system are based, nor the limitations upon nor the modifications of the general rules of practice stated in the text. To one who has previous knowledge of the subject, it is manifest that all these facts are fully apprehended by Professor Miller, but they have not been sufficiently emphasized to make an impression upon a student.

It is only fair, however, to say that Mr. Bishop's volume is twice as large as the one under consideration, and that the defects of the latter are largely inseparable from the impossible attempt to give even an accurate summary of practice in a volume of less than three hundred pages; and, although law students are justly entitled to more than can thus be given on this branch of the law, if no more time is allotted than will suffice for the delivery of these lectures, the one to whom the course is assigned should not be expected to achieve the impossible, nor should he be too much criticized for failing in such achievement.

A TREATISE ON THE NEW YORK EMPLOYERS' LIABILITY ACT.
George W. Alger and Samuel S. Slater. Albany, N. Y.: Matthew Bender. 1903. pp. xxvii, 218.

The authors of this work have brought to its preparation some unusual qualifications. Both took an active part in drafting the New York Employers' Liability Act and in securing its adoption. Both appear to have studied carefully similar legislation in England and in this country, and to have formed clear and definite views of the defects of the common law which such legislation was intended to cure. They are thoroughly acquainted with the decisions evoked by employers' liability statutes in other States, and are able to point out with great clearness the respects in which the New York act differs from the laws upon which it is modelled. Possessing these advantages, the authors of this little volume ought to have made it unusually valuable. We believe they have.

One of the best chapters appears to be that devoted to the changes in the fellow-servant rule which have been wrought by the statute. The common law doctrine in New York is stated in an admirable manner. Then the statutory provision is presented, compared with like portions of other statutes, and intelligently discussed in the light of decisions called out by those provisions. In the Appendix will be found not only the New York statute, but also the Employers' Liability Act of England, as well as that of Alabama, of Colorado, of Indiana, and of Massachusetts. Notes, in various parts of the volume, contain references to numerous State statutes, bearing upon different topics. It is believed that the legal profession will find this manual very convenient and helpful.